

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

June 17, 2008

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, June 10, 2008, pp.7-13**
- IV. Budget Amendments – None**
- V. New Business, pp.16-43**
- VI. Continuing Business / Presentations**
 - A. LIVE UNITED Day Proclamation**
- VII. Council Report**
- VIII. Mayor’s Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization to Submit Application to the Kentucky Department of Juvenile Justice on Behalf of the Department of Social Services, Division of Youth Services, under the Juvenile Accountability Block Grant (JABG) Program – FY2009. (331-08) (P. King/Helm)

This request will authorize the submission of an application for federal funds in the amount of \$15,275 to the Kentucky Department of Juvenile Justice on behalf of the Division of Youth Services under the JABG Program. This program provides state and local governments with funds to develop programs to promote greater accountability in the juvenile justice system. Funds will continue the Juvenile Surveillance Program (overtime for Police Officers), and will be used for professional services and development, drug testing services and supplies, and education materials. A local match of 10% (\$1,700) is required and has been requested in the Division's 2009 General Fund Budget, subject to the availability of funds in FY2009. **p.16**

- B. Authorization to Amend Chapter 13, Sections 13-5 and 13-9 of the Code of Ordinances. (339-08) (O'Mara/Koch)

This request will authorize an amendment to Chapter 13, Sections 13-5 and 13-9 of the Code of Ordinances to implement a minimum occupational license fee on net profit. This amendment will require a minimum payment of \$100 each January by each business operating in Lexington-Fayette County. When the business files their net profit return, they can deduct the \$100 payment from any amount owed over \$100. Currently 27,700 businesses are registered in Lexington-Fayette County with 11,900 businesses paying no net profit tax. This amendment will require all businesses to pay a net profit tax and will allow easier tracking of businesses and will pay for services and infrastructure the businesses use. This will create a minimum net profit license fee of \$2.77 million in FY2009 and \$1.44 million in future years. **pp.17-19**

- C. Authorization to Execute an Amendment to a Grant Agreement with the Kentucky Governor's Office of Local Development Regarding the 2006 Recreational Trails Project. (342-08) (P. King/Cole)

This request will authorize an execution of an amendment to a Grant Agreement with the Kentucky Governor's Office of Local Development regarding the 2006 Recreational Trails Project, to extend the agreement date from June 30, 2008 to June 30, 2009. There are no other changes. **p.20**

- D. Authorization of Change Order No. 1 to Contract with Leak Eliminators, LLC Regarding the Old Paris Road Sanitary Sewer and Pump Station Project. (327-08) (P. King/D. Kelly)
This request will authorize Change Order No. 1 to contract with Leak Eliminators, LLC, to increase contract amount by \$2,765. The reason for this change is due to the increase in material quantities needed for the Old Paris Road Sanitary Sewer and Pump Station Project. Original contract amount was \$97,425. New contract total is \$100,190. Funds are budgeted.**pp.21-23**
- E. Authorization of a Letter of Agreement Amendment with the Kentucky Heritage Council on Behalf of the Department of Public Works and Development, Division of Historic Preservation - Survey and Planning Project – FY2009. (328-08) (P. King/D. Kelly)
This request will authorize a Letter of Agreement Amendment with the Kentucky Heritage Council on behalf of the Division of Historic Preservation – Survey and Planning Project, to extend the completion date of the project from August 1, 2008 to August 1, 2009. There are no other changes.**p.24**
- F. Authorization of a Sale of Easement to AT&T Corporation Regarding a Portion of Tracts of the Town Branch Trail. (329-08) (Rayan/D. Kelly)
This request will authorize a Sale of Easement of 83,130 square feet for the fair market value of \$38,000 to AT&T Corporation for property owned by LFUCG within the Town Branch Trail. This will allow AT&T Corporation to relocate their communications facilities, now located in the Leestown Road Corridor, for continued improvements to Leestown Road. This easement will be for a nonexclusive permanent utility easement and will give AT&T Corporation the usual rights to install, construct and maintain the facilities.**p.25**
- G. Authorization of a Supplemental Agreement No. 2 with the Kentucky Transportation Cabinet (KYTC) for the Loudon Avenue Improvements Project. (337-08) (P. King/D. Kelly)
This request will authorize Supplemental Agreement No. 2 with KYTC to accept additional federal funds in the amount of \$7,920 for the design phase, and the reallocating of existing federal funds in the amount of \$95,400 from the utilities phase to the right-of-way phase for the Loudon Avenue Improvements Project. The additional funding is from the Surface Transportation Lexington. A local match of 20% (\$1,980) is required and will come from the Municipal Aid Program. These funds will be used to widen Loudon Avenue to three (3) lanes from Oakhill Drive to Winchester Road. Total federal funding now allocated to this project is \$4,414,440 with a local matching totaling \$1,103,610.**p.26**

- H. Authorization of Amendments to Agreements with the Kentucky Transportation Cabinet (KYTC) Regarding the Bicycle Lane Restriping and Feasibility Study Project and the Wellington Area Bicycle-Pedestrian Facility. (343-08) (P. King/D. Kelly)
 This request will authorize amendments to agreements with the KYTC. The Amendment No. 2 regarding the Bicycle Lane Restriping Agreement will extend the completion date from June 30, 2008 to June 30, 2009. The Amendment No. 1 regarding the construction of the Wellington Area Bicycle – Pedestrian Facility Agreement will extend the completion date from June 30, 2008 to June 30, 2009 to allow for landscaping and tree planting. The trail facility has been completed. Both projects are federally funded by the US Department of Transportation, Congestion Mitigation and Air Quality Improvement Program.**p.27**
- I. Authorization of a Temporary Construction Easement at 415 Morgan Avenue for the Meadows / Northland / Arlington Neighborhood Improvement Project Phase 3B. (344-08) (P. King/D. Kelly)
 This request will authorize a Temporary Construction Easement of 112.82 square feet at 415 Morgan Avenue for \$100 for the Meadows / Northland / Arlington Neighborhood Improvement Project Phase 3B. This project is funded by the US Department of Housing and Urban Development Community Development Block Grant. Funds are budgeted.**p.28**
- J. Authorization to Close a Portion of Davis Alley Right-of-Way. (079-08) (Boland/J. Kelly)
 This request will authorize the closure of approximately 50 feet of Davis Alley right-of-way. The right-of-way has not been used as an alley for decades, and is located within a parking lot owned by the University of Kentucky. The closure is requested for the construction of a future law school building at this site. The University owns all property abutting this alley and will accept responsibility of the alley once closed. This closure has been reviewed and consented to by appropriate divisions of government and utility companies, subject to protection or relocation of their existing facilities in accordance with the approved development plan. There is no budgetary impact.**pp.29-31**
- K. Authorization to close a portion of Deerhaven Lane Right-of-Way. (341-08) (Boland/J. Kelly)
 This request will authorize the closure of a portion of right-of-way in front of properties at 1145, 1149, 1153, 1157, 1161, and 1165 Deerhaven Lane. The right-of-way is wider than required. Property owners have requested this closure and will accept responsibility for their portion of the right-of-way. The appropriate government divisions and utilities companies have reviewed and consented to the closure, subject to preserving easements for any existing facility.**pp.32-33**

- L. Authorization of a Contract Amendment with the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Services Board on Behalf of the Department of Public Safety, Division of Enhanced 911, for Improvements to the Regional 911 System. (334-08) (P. King/Bennett)
This request will authorize a contract amendment with Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Services Board on behalf of the Division of Enhanced 911, to extend the completion date of the project from June 30, 2008 to November 30, 2008. There are no other changes.**p.34**
- M. Authorization of Amendment No. 1 to Agreement with the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Fire and Emergency Services, for the Purchase of a Wireless System. (335-08) (P. King/Bennett)
This request will authorize an Amendment No. 1 to Agreement with the Kentucky Office of Homeland Security on behalf of the Division of Fire and Emergency Services regarding the Wireless System, to extend the agreement date from June 30, 2008 to September 30, 2008. There are no other changes.**p.35**
- N. Authorization to Amend Ordinance No. 87-2008 to Correct the Name of the Vendor for the Regional 911 System on Behalf of the Department of Public Safety, Division of Enhanced 911. (336-08) (Lucas/Bennett)
This request will authorize an amendment to Ordinance No. 87-2008 to correct the name of the vendor for the Regional 911 System from the parent company SolaCom to AK Associates, their authorized dealer for Kentucky. There are no other changes.**pp.36-40**
- O. Authorization to Amend a Purchase of Service Agreement (PSA) with the Downtown Lexington Corporation (DLC). (332-08) (Askew)
This request will authorize an amendment to the PSA with DLC to permit DLC to conduct a raffle for charity at 101 E. Vine Street. Specific authorization by LFUCG, as landlord, is required for compliance with State Administrative Regulations. There is no cost to LFUCG.**p.41**
- P. Authorization of a Quitclaim Deed for Property at 928 Calypso Breeze Drive for a Detention Area. (333-08) (Askew)
This request will authorize a Quitclaim Deed by and between Commonwealth Development Company, LLC and Ball Homes, LLC with LFUCG for property located at 928 Calypso Breeze Drive at a cost of \$10,000 for a detention area. The Division of Engineering has reviewed and approved acceptance and maintenance of this property.**p.42**

Q. Authorization to Retain M2D Design Group for the Administration of Corridor Enhancement Grant for the Newtown Pike Landscaping Project. (338-09) (P. King/Langston)

This request will authorize the retainment of M2D Design Group at a cost of \$26,000 for the administration of the Corridor Enhancement Grant for the Newtown Pike Landscaping Project. This project includes design and construction documents, bid packages, obtaining encroachment permits, selection of qualified vendors, management of construction and installation of the landscaping and street furniture, and working with the Corridors Committee, the Kentucky Transportation Cabinet, property owners, and LFUCG elected officials in administering the project. Funds are budgeted.**p.43**